



JC10 Rec PCT/PTO 26 JUL 2005

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: Not Yet Assigned
IKUO SHIMIZU, ET AL.)
: Group Art Unit: Not Yet Assigned
Application No.: 10/516,749)
: I.A. Filed: July 3, 2003)
: For: FILTERS OF ELECTRONIC)
: DISPLAY DEVICE : July 25, 2005

MAIL STOP PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Anthony Smith
Attorney-Advisor

RENEWED PETITION UNDER 37 C.F.R. §1.47(a)

Sir:

Applicants received a Decision on petition dated May 26, 2005. The Decision dismisses without prejudice Applicants' petition dated December 3, 2004 (filed December 6, 2004) under 37 C.F.R. §1.47(a).

The May 26, 2005 Decision notes that all the requirements of 37 C.F.R. §1.47(a) have been met except for the factual proof that the missing joint inventor, Kyoko Katagi, refuses to sign the application or cannot be reached. The standard for meeting this requirement is set forth in MPEP §409.03(d).

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Legal Staff
International Division

In response, Applicants respectfully submit the accompanying Declaration of Mr. Ikuo Shimizu, a co-inventor of the present application and Research Manager of Assignee, Kyowa Hakko Chemical Co., Ltd. In the Declaration Mr. Shimizu testifies he telephoned Ms. Kyoko Katagi on June 30, 2004 and February 12, 2005 and directly requested that she execute the necessary Declaration for this application. Therefore, this request is clearly in conformity with MPEP §409.03 which states that "[a] bonafide attempt must be made to comply with the provisions of 37 C.F.R. §1.47 at the time the oath or declaration is first submitted."

As stated in Mr. Shimizu's accompanying Declaration, Ms. Katagi explicitly refused. That is, on February 12, 2005, Ms. Katagi replied

I have no disagreement with filings of foreign applications.
But I refuse to sign the necessary documents.

Accordingly, Applicants respectfully submit this renewed petition is now proper and may be granted.

The Commissioner is authorized to charge any additional fees that may be required in connection with this application, or credit any overpayment, to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", is written over a horizontal line.

Attorney for Applicants
Lawrence S. Perry
Registration No. 31,865

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